



CASE D0066 NP

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3-28-05
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

FEDER ET AL.

PATENT APPLICATION NO: 6,858,407 B2

ISSUED: FEBRUARY 22, 2005

FOR: NOVEL HUMAN LEUCINE-RICH REPEAT CONTAINING PROTEIN
EXPRESSED PREDOMINATELY IN SMALL INTESTINE, HLRRS1

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PETITION TO CORRECT PATENT TERM ADJUSTMENT PERIOD
IN GRANTED PATENT

Sir:

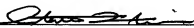
The granted patent erroneously lists the patent term adjustment period as 13 days. The Determination of Patent Term Adjustment under 35 U.S.C. 154(b) erroneously lists the patent term adjustment as 51 days. The patent term adjustment history from PAIR shows the USPTO Delay as 220 days and the Applicant Delay as 207 days. In response to the request for new drawings in the Notice of Allowance, mailed May 14, 2004 due to the original drawings being of low quality, applicant submitted a new set of drawings on June 14, 2004 using Express Mail. Patent Term Adjustment History has applicant delay of 120 days for Finished Drawings which applicant believes is incorrect. The USPTO delay was 220 days and the applicant delay was 87 days, therefore we request that the Patent Term Adjustment be re-adjusted to 120 days.

Enclosed is a copy of the cover page of the patent, copy of Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) received with the Notice of Allowance, copy of Image File Wrapper from PAIR and copy of Patent Term Adjustment History from PAIR for your convenience.

Applicant believes this error is ascribable to the Patent Office, applicant is requesting re-consideration of the patent term adjustment within two months of the date of the issued patent under §1.705(d). Accordingly, no fees are required. However, if this is incorrect, the Commissioner is hereby authorized to charge the \$200 fee under 37 CFR §1.18(e) and any additional fees that may be required to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

Respectfully submitted,

Bristol-Myers Squibb Company
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Stephen C. D'Amico
Agent for Applicants
Reg. No. 46,652

Date: 3-28-05



US006858407B2

0006-US-NP

D'Amico

(12) United States Patent
Feder et al.**(4) Patent No.: US 6,858,407 B2**
(45) Date of Patent: Feb. 22, 2005

- (54) **HUMAN LEUCINE-RICH REPEAT CONTAINING PROTEIN EXPRESSED PREDOMINATELY IN SMALL INTESTINE, HLRRSII**
- (75) Inventors: **John N. Feder**, Belle Mead, NJ (US); **Chandra S. Ramanathan**, Wallingford, CT (US); **Gabriel A. Mintier**, Hightstown, NJ (US)
- (73) Assignee: **Bristol-Myers Squibb Company**, Princeton, NJ (US)
- (*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 13 days.

- (21) Appl. No.: **10/029,347**
- (22) Filed: **Dec. 20, 2001**
- (65) **Prior Publication Data**

US 2003/0017562 A1 Jan. 23, 2003

Related U.S. Application Data

- (60) Provisional application No. 60/257,774, filed on Dec. 22, 2000.
- (51) Int. Cl.⁷ **C12P 21/06; C12N 5/02; C07H 21/04**
- (52) U.S. Cl. **435/69.1; 435/325; 435/252.33; 435/320.1; 530/350; 536/23.1; 536/23.5**
- (58) **Field of Search** **435/350; 435/252.3, 435/252.33, 325, 320.1, 69.1; 536/23.1, 23.5**

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Bertin, et al. (2000) *Cell Death and Differentiation* 7:1273-1274.Wang, et al. (2002) *J. of Biological Chemistry* 277:29874-29880.**Primary Examiner**—Nashaat T. Nashed(74) **Attorney, Agent, or Firm**—Stephen C. D'Amico

(57)

ABSTRACT

The present invention provides novel polynucleotides encoding HLRRSII polypeptides, fragments and homologues thereof. Also provided are vectors, host cells, antibodies, and recombinant and synthetic methods for producing said polypeptides. The invention further relates to diagnostic and therapeutic methods for applying these novel HLRRSII polypeptides to the diagnosis, treatment, and/or prevention of various diseases and/or disorders related to these polypeptides, particularly gastrointestinal diseases and/or disorders. The invention further relates to screening methods for identifying agonists and antagonists of the polynucleotides and polypeptides of the present invention.

13 Claims, 16 Drawing Sheets



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,347	12/20/2001	John N. Feder	D0066 NP	5519

23914 7590 05/14/2004
STEPHEN B. DAVIS
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PRINCETON, NJ 08543-4000



EXAMINER	
NASHED, NASHAAT T	
ART UNIT	PAPER NUMBER
1652	

DATE MAILED: 05/14/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 51 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 51 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

PTA = 51 days

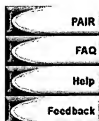
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Patent Term Adjustment (PTA) for application number:
10/029,347

		Days
Filing or 371(c) Date:	12-20-2001	USPTO Delay (PTO): 220
Issue Date of Patent:	02-22-2005	Three Years: -
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL): 207
Post-Issue Petitions (days):	+0	Total PTA: 13
USPTO Adjustment (days):	+0	Explanation of Calculations

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06-17-2004	Workflow - Drawings Finished	↑	120
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08-09-2004	Workflow - File Sent to Contractor		↑
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05-14-2004	Mail Formal Drawings Required		↑
05-13-2004	Issue Revision Completed		↑
05-13-2004	Formal Drawings Required		↑
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05-13-2004	Notice of Allowability		↑
04-29-2004	CRF Is Good Technically / Entered into Database		↑
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03-27-2002	Case Docketed to Examiner in GAU	↑	↑
03-15-2002	Application Dispatched from OIPE	↑	↑
03-14-2002	Application Is Now Complete	↑	↑
03-01-2002	Additional Application Filing Fees	↑	↑
03-01-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant	↑	↑
02-05-2002	Notice Mailed--Application Incomplete--Filing Date Assigned	↑	↑
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12-20-2001	Initial Exam Team nn	↑	↑

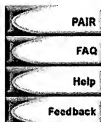
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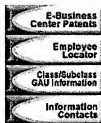


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